

SENATOR SIMON: Yes. Mr. President, members of the Legislature, I would rise to support the committee amendments. But I feel that they are lacking in one particular aspect. I have an amendment that will be up shortly that will deal with that. Very briefly, it seems that the committee amendment deals only with a person who is intoxicated and happens to hit somebody and it caused them bodily injury. That seems to say that if a person is lucky enough not to run into a car, or not to strike somebody and cause them bodily injury, therefore, we say it's okay. So you can drive while you're drunk, but make sure you don't hit somebody, or make sure that you don't injure them. I think that is an asinine approach. If we're concerned about trying to take care of drunken drivers, then there should be some penalty provisions for those that are driving while intoxicated. I understand that we have provisions in the law that deal with that. But the fact remains that, as Senator Venditte I think has pointed out very briefly, the first, usually second, and sometimes third penalty for a person who is DWI is a slap on the hands. It is not a sentence to jail. It is a minimum fine. I think that you can check on the past records and see what the sentences have been. So for those that are concerned about the fact that there is no penalty for somebody that is drunk while intoxicated, even though they may not have caused bodily injury, then I have an amendment that will deal with that. I would urge the committee amendment be passed. I think it's important to understand that the logic, as far as I'm concerned, is a little faulty in this whole thing. If you strike and injure somebody, then we do get mad at you. But if you don't injure them, then it's okay to drive drunk. That type of logic escapes my thought process.

PRESIDENT: The question then is the adoption of the committee amendments. Are you ready to vote? Record your vote. Record.

CLERK: 29 ayes, 0 nays, Mr. President, on the adoption of the committee amendments.

PRESIDENT: The committee amendments are adopted. Do you have anything on the desk? Any further amendments?

CLERK: Yes, Mr. President. Senator Simon now offers three pages of amendments. I'll be happy to read them if you think it's necessary, Senator.

PRESIDENT: Senator Simon.

SENATOR SIMON: Yes. Mr. President, members of the Legislature, I think that if you would just take a look at the original bill I think we can handle this very simply. The original bill said that the penalty for...and specifically in line 21, page 2 we're talking about the sentence for a person that is arrested and convicted for drunk driving, that was seven days. I testified at the committee hearing. At that time I supported the general philosophy of Senator Venditte, but I said that seven days was rather extreme. I suggested one or two days. The amendment says that a person who is convicted of drunk driving shall be sentenced to one day in jail. That has nothing to do with whether or not they cause bodily injury. As I just mentioned earlier, it states very clearly that they have to serve one day in jail. I think the logic behind this is sound. If you look, again as I mentioned before, if you check and see what happens when a person is convicted of drunk driving for the first, or second, or even sometimes the third offense, they don't go to jail. They are fined. I think it